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Report of the Secretary-General on the situation in the Central African Republic and the activities of the United Nations Peace-building Support Office in the Central African Republic

I. Introduction

1. This report covers the period from 8 July to 31 December 2004. It takes stock of the situation in the Central African Republic during this period, especially in the political, military and security, economic and social, and humanitarian fields, as well as in the area of human rights. It also reports on the activities of the United Nations Peace-building Support Office in the Central African Republic (BONUCA).

II. Political situation

2. The political situation essentially remains marked by the continuation of the electoral process that will lead to the holding of the forthcoming general elections, which are designed to restore the constitutional order, in the first quarter of 2005. The Committee of Foreign Partners to Follow Up on the Electoral Process, whose members include China, France, Germany, the European Union, BONUCA, the other agencies of the United Nations system, the Executive Secretariat of the Central African Economic and Monetary Union (CEMAC) and the Commander of the CEMAC Multinational Force, continues to support the electoral process.

3. At the second session of the National Transition Council, which closed on 15 July 2004, National Councillors considered and amended the draft constitution and the draft electoral code, which they then transmitted to the transitional government for adoption. Their amendments concerned, inter alia, the type of regime to be adopted, the powers of the Prime Minister, the length of the presidential term of office, the amount of the deposit payable by candidates for the legislative and presidential elections, the conditions for eligibility, and the conditions for establishing the criminal liability of the Head of State.

4. Following a second reading of the texts by the Government, the Head of State initialled and distributed the draft constitution and signed and enacted the ordinance on the Electoral Code. Some of the amendments proposed by the National Transition Council were not considered.

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5. Subsequently, the National Transition Council adopted, during its third session, held from 16 August to 1 October 2004, the draft ordinance on political parties and the status of the opposition. The National Councillors also carried out a comparative reading of the draft constitution and the draft electoral code as published by the Government, without consulting the latter. In doing so, they noticed discrepancies with respect to the amendments made in accordance with the recommendations of the national dialogue. Those discrepancies were resolved through mutual concessions agreed to by the parties and facilitated by the good offices of my Representative in Bangui, among others.

6. An ordinance amending and supplementing the ordinance on the Electoral Code was adopted by the Government, which also modified the draft constitution, in accordance with the terms of the agreement, and enacted it by decree. The draft was approved by the people of the Central African Republic in a referendum held on 5 December 2004.

7. At its fourth session, held from 8 to 26 November 2004, the National Transition Council adopted the draft ordinance on the establishment, organization and functioning of the transitional constitutional court, the draft ordinance on the establishment of a commission to oversee the freedom of the press (Haut Conseil de la communication), and the draft ordinance on the freedom of the press in the Central African Republic. The texts were submitted to the Government for adoption and enactment.

8. On 23 August 2004, the Mixed and Independent Electoral Commission set up, in partnership with BONUCA and the National Transition Council, a committee of experts responsible, on the one hand, for defining and developing an appropriate interpretation of the Electoral Code and, on the other hand, for identifying and devising any derogation measures required for applying it to the upcoming election dates. The Commission set the electoral budget at 5.5 billion CFA francs. The Central African Republic contributed 1 billion CFA francs; the European Union, 1.8 billion; France, 540 million; the United States of America, 130 million; the United Nations Development Programme (UNDP), 323 million; and BONUCA, 35 million. Germany, Italy and the International Organization of la Francophonie indicated their intention to contribute to the electoral budget, which is currently in deficit in the amount of 1.361 billion CFA francs.

9. The Electoral Commission has scheduled the joint legislative and presidential elections to be held at the beginning of 2005. The final results will be announced by the transitional constitutional court. Ahead of the future legislative and presidential elections, and before the constitutional referendum was held, an electoral census was carried out, from 16 to 24 October 2004. A total of 4,020 voting stations have been set up, within the country and abroad, for 1,400,882 registered voters.

III. Security and military situation

10. In the area of security, the overall situation remains precarious. Acts of violence and summary executions attributable to the law enforcement forces, as well as acts of robbery and armed robbery, have continued to occur, especially in the capital. "Roadblockers" or *Zaraguinas* have continued to engage in the "highway robbery" of civilians, despite the deployment, in the areas concerned, of defence and security detachments backed by CEMAC Multinational Force. However, because

they are few in number and because their equipment is either inadequate or old, they have not been able to combat this scourge effectively. The recent deadly attacks in Bozoum and Birao, carried out by unidentified armed groups, demonstrate the precarious nature of the security situation in many rural areas.

11. It should be recalled that, since the events of 15 March 2003, the river border between the Central African Republic and the Democratic Republic of the Congo has remained closed for security reasons. There have been reports of the unjustified boarding and inspection of vessels flying the flag of the Central African Republic while they were navigating on the river.

12. Within the framework of restructuring the Central African Armed Forces, the military team of BONUCA held two seminars for the defence and security forces, on the topics "the need for good cooperation between the military and civilians on national defence" and "the issue of army neutrality in African countries". This training was provided to 200 soldiers and gendarmes.

13. With regard to the disarmament, demobilization and reintegration of former combatants, the military team helped to implement the project for the reintegration of former combatants and support to communities designed by UNDP and funded by the World Bank's Multinational Demobilization and Reintegration Programme. The Programme's aim is to disarm and reintegrate 7,500 former combatants. On 14 September 2004, the Central African authorities established the National Commission for Disarmament, Demobilization and Reintegration, which is the agency responsible for strategic and political decision-making on disarmament, demobilization and reintegration, as well as the project's steering body.

14. In coordination with the military team, the Office's Civilian Police Section has continued to monitor the security situation, oversee the efforts of the Central African authorities to implement the national programme for the restructuring of the security forces, and monitor all aspects of Government policy regarding recruitment to the police and the gendarmerie, particularly in regard to guaranteeing ethnic balance and gender representation.

15. The Civilian Police Section has continued its training programmes within the framework of the capacity-building of the national police and gendarmerie. It has organized training courses for 200 police officers and gendarmes on investigation techniques, duty and professional ethics, criminal inquiries, command structures, general information and narcotics.

IV. Economic, social and humanitarian situation

16. The economic and social situation continues to be affected by the poor economic performances of 2002 and 2003, despite the commitments and adjustments made by the Government in agreement with the Bretton Woods institutions, namely, the gradual restoration of security throughout the country, a reduction in State spending, and actions to combat bad governance and impunity. In the economic sphere, activity over the first nine months of the year has shown that the situation remains precarious. As a result, it has not been possible to achieve the growth rate of 2.4 per cent forecast for 2004, thereby leading to a general decline in personal income and State revenue. However, the rate of inflation has remained satisfactory thanks to the regular supply of commodities from the various regions of

the country. In addition to the consequences of the 2003 crisis, from which it has not fully recovered, the agricultural sector has continued to be affected by the fall in world coffee and cotton prices, in the absence of a mechanism for stabilizing the prices of these two profitable products.

17. In the formal sector, the recovery remains tentative, due in particular to the prevailing climate of pessimism and the income instability affecting economic agents, especially the civil service. Moreover, many private-sector companies are experiencing enormous difficulty in restarting their activities because of the partial or total destruction of their physical capital during the events of 15 March 2003. In this sector, only mining and forestry companies have seen their production increase.

18. This depressed economic activity has led to weak growth in earnings, which are estimated to be 41 billion CFA francs for the period to the end of September 2004, which is only 65 per cent of the level forecast. Public expenditure has fallen considerably as a result of the authorities' commitments to cut State spending. I encourage the authorities to redouble their efforts to increase tax revenue and gain greater control over public expenditure in order that, over the next few months, the results expected from the achievement of the goals of the post-conflict programme of the International Monetary Fund (IMF) and the Low Income Countries Under Stress (LICUS) Initiative of the World Bank, concluded with the Government, will lead to talks with the Bretton Woods institutions on setting up a poverty reduction facility, and to discussions with the donor community of the Central African Republic, aimed at finding a lasting solution to the problem of Central African debt.

19. In the social sphere, civil servants and State officials have reported that they will be owed salary arrears for five months by the end of the current year. Over a period of 20 months in charge, the transitional government has paid them 15 months' salary — nine of which in 2004 — thanks to the financial support of China, France, IMF, the Bank of Central African States, CEMAC and the European Union. In an effort to ensure that there will be no salary arrears by the end of the transition period, civil servants went on a three-day warning strike from 16 to 19 November 2004 and called a general strike from 23 to 30 November 2004, which drew mixed support.

20. In the humanitarian sphere, the situation remains precarious, marked by the people's lack of access to basic health care, drinking water, education and food self-sufficiency, and by violence and extortion linked to residual crime. The number of humanitarian organizations, which is already low, is constantly falling, with the exception of agencies of the United Nations system. As a result, the capacity to take action is becoming more limited, even as people's level of vulnerability grows. It remains difficult for humanitarian organizations to reach vulnerable population groups, and in some areas it is even impossible. This difficulty is due to the poor state of road infrastructures and to the insecurity that prevails in the interior of the country.

21. There are currently around 200,000 displaced persons in the Central African Republic and almost 30,000 Central African refugees in Goré (Chad) following the events of 15 March 2003. In turn, the Central African Republic is providing refuge to almost 46,000 people of Sudanese, Chadian, Congolese (from the Democratic Republic of the Congo), Rwandan and Burundian origin. From 25 to 27 August 2004, a joint mission of the Central African Republic and the Office of the United Nations High Commissioner for Refugees (UNHCR) travelled to Kinshasa to sign a

tripartite agreement prior to the repatriation of refugees from the Democratic Republic of the Congo living in the Central African Republic. The repatriation operation began in October 2004 and is ongoing.

22. In order to cope with the overall humanitarian situation, the organizations of the United Nations system have drawn up a consolidated appeal for the year 2005, covering 23 projects, for a total sum of $19,196,404. Donor contributions are urgently requested so that the consolidated appeal can be implemented effectively.

23. In order to confront the disastrous agricultural situation, the Food and Agriculture Organization of the United Nations (FAO) has provided assistance for small farmers by distributing corn, groundnut, paddy rice, bean, yam and market garden seeds, particularly in areas severely affected by the recent political and military events. This assistance was doubled by the distribution of small agricultural tools, fishing equipment, day-old chicks and pigs, with the aim of helping small farmers, livestock breeders and fishermen to resume their production activities — however limited — in order to help to reduce poverty, which is chronic in the Central African Republic. While FAO assistance is very welcome, it is also very limited and helps only a very small segment of the population. I therefore encourage the States, institutions and bodies concerned to provide substantial support to this sector of the Central African economy, in order to prevent an unprecedented humanitarian crisis from taking root in the long term.

24. The Central African Republic is also going through a severe health-care crisis, as demonstrated by an exorbitant cost-recovery policy and poor attendance at health-care facilities owing to the fact that — in a country where 67 per cent of the population live on less than one dollar a day — the cost of health care is prohibitive for the most vulnerable communities. In addition, there is a predominance of nutritional deficiency, with 30 per cent of children in rural areas, 28 per cent in urban areas and 22 per cent in the capital suffering from chronic malnutrition, which is exacerbated by a worrying increase in the risk of an epidemic. The United Nations World Food Programme (WFP) has given assistance to people living in the northern and central prefectures of Ouham, Ouham-Pendé, Nana-Gribizi and Kémo. It has also helped set up and run school canteens in around 400 schools in these areas.

25. The World Health Organization (WHO), the United Nations Children's Fund (UNICEF) and the United Nations Population Fund (UNFPA) have assisted the Ministries of Public Health and Population, the Family and Social Affairs, and National Reconciliation in preparing an operational plan to speed up the reduction of maternal and neonatal mortality. Another project set up jointly by the three agencies aims to improve the way in which obstetric and neonatal emergencies are dealt with in health-care facilities in and around Bangui, as well as in Bangui's three satellite maternity hospitals.

26. The education sector is also in crisis, despite the effective resumption of classes during the academic year 2004-2005. Around 400,000 out of 600,000 pupils have no access to basic education, a third of teachers have no training and school facilities continue to suffer from repeated looting. The literacy rate is 37 per cent, while the net school enrolment ratio is 49 per cent.

V. Human rights situation

27. During the period under review, BONUCA has registered several cases of infringement of the freedom of movement and freedom of the press, inhumane, humiliating and degrading treatment, violations of the right to life, summary executions, harassment, night-time searches, abusive arrests and threats of all kinds, which are usually attributable to the defence forces. However, whenever the perpetrators of such actions are identified, they are punished by the military hierarchy or brought to justice. The attention of both the judicial and the political authorities was drawn to the need to put a stop to such acts, which do not conform to the rules of legal procedure.

28. The human rights section of the Office has continued its radio programme aimed at disseminating information on the fundamental principles of human rights through local radio stations, including Radio Ndékéluka, of which BONUCA is a partner. In support of the Supreme Court of Appeal, the section has launched a project to set up a legal documentation centre and provide its operational equipment.

29. With regard to capacity-building in national organizations, from 19 to 31 July 2004, the human rights section organized a training session for law enforcement officers in Sibut, in which 65 gendarmerie and police officers participated, as well as representatives of government agencies and non-governmental organizations (NGOs).

30. In partnership with Central African women's NGOs, on 24 and 25 August, the section organized, in Bangui, two Central African discussion days on the "gender concept" in the Central African Republic, followed by a workshop on gender on 1 and 2 October 2004, with a view to setting up a solidarity fund for female candidates in the upcoming elections and adopting a "platform for joint action by Central African women's NGOs".

31. The section also organized, from 31 August to 7 September 2004, an awareness-raising campaign aimed at people living in the prefecture of Ouham on the subject of "human rights and peace", in partnership with youth organizations. Problems relating to the rights of the child and the right to education were identified during the campaign.

32. The human rights section's branch in Bouar also is continuing its activities of awareness-raising and training for people living in the three prefectures under its jurisdiction. The Bossangoa branch, which is in the process of being established, was officially inaugurated in early November. Its activities cover the prefectures of Ouham and Nana-Gribizi.

33. The BONUCA information unit has continued its activities promoting support for the Office's work, in particular through the dissemination of information on the ideals of the United Nations and media coverage of the activities of all sections, in order to raise the profile of the Office's activities. It has also continued to provide assistance to the press by supporting organizations representing people working in the press and improving the ability of journalists to play a role in the electoral process and the democratization of the country. The unit has also continued its programme aimed at promoting a spirit of citizenship through radio and television broadcasts, panel discussions and awareness-raising campaigns in ooth Bangui and provincial towns, on the central theme of "Central Africans want peace".

34. In preparation for the elections, three training sessions on "the press and the elections" were organized by the United Nations Educational, Scientific and Cultural Organization (UNESCO), in partnership with the French Embassy and BONUCA, in June, August and November 2004 respectively. In liaison with the Mixed and Independent Electoral Commission and UNDP, the information unit has drawn up a communication plan for the elections and presided over the establishment, within the Commission, of a communication group.

35. The activities envisaged in this plan included the launch, from 6 to 12 August 2004, of a touring campaign to raise awareness of the electoral census and of the vote itself in the four provincial towns of Damara, Sibut, Dékoa and Kaga Bandoro, and the organization, in partnership with the Committee to oversee the implementation of the outcome of the national dialogue and the Mixed and Independent Electoral Commission, of a seminar on "the electoral process and consolidating peace in the Central African Republic", from 5 to 7 October 2004, in Bangui.

36. In addition, from 6 to 11 November 2004, with technical and financial assistance from the Office, the Commission's communication group conducted a campaign in the north-west of the country to raise awareness about, and provide information on, the Constitution and the referendum thereon. The central theme of the campaign was "Your vote counts". Lastly, the information unit supported the preparation by the Episcopal Commission for Justice and Peace and in partnership with the Commission of a "Voter's guide", a veritable code of conduct for voters.

VI. The subregional context

37. Following the expression of concern by the President of the Security Council in his statement of 28 October 2004 (S/PRST/2004/39) at the possible consequences of the crises in the subregion for the Central African Republic, my Representative in Bangui participated in the First Summit of Heads of State and Government from the Great Lakes Region, held in Dar es Salaam on 19 and 20 November 2004, and in the Security Council meeting held in Kinshasa on 23 November 2004. The meeting in Kinshasa gave him the opportunity, inter alia, to assess the potential impact of the deteriorating situation in the Democratic Republic of the Congo on stability and security in the Central African Republic, particularly in terms of population displacement. On Monday, 29 November 2004, he also met, in Brazzaville, with the Head of State of the Republic of the Congo, President Denis Sassou Nguesso, in his capacity as the current Chairman of the Economic Community of Central African States, with whom he discussed the general situation in the Central African Republic, in particular the political, security and military situations, and the elections.

VII. Observations

38. The general situation in the Central African Republic is gradually improving in spite of well known shortcomings in the areas of governance and human rights. In the economic field, the adoption in August 2004 of a post-conflict programme by IMF and a programme under the Low Income Countries Under Stress (LICUS) Initiative by the World Bank is an encouraging signal for the Central African

authorities to continue their efforts. The implementation of these programmes, which depends on a considerable increase in the level of tax revenue, should make it possible to undertake new discussions for a complete resumption of cooperation between the Central African Republic and the Bretton Woods institutions.

39. In the political field, the situation is developing under acceptable conditions; this is evident in the successful holding of the constitutional referendum on 5 December 2004. With regard to the forthcoming election dates, everything seems to indicate that the country will be faced with several candidacies in the presidential election, including that of General François Bozizé, which he announced on 11 December 2004. In this context, political alliances are likely to form as the electoral process proceeds.

40. The compromise achieved with regard to the draft constitution and the draft electoral code significantly contributed to the improvement in relations between the Government and the National Transition Council, giving rise to renewed hope, as demonstrated by the smooth holding of the constitutional referendum of 5 December 2004. Nevertheless, in order to ensure the successful outcome of the transition and the electoral process, everything must be done in order to preserve the consensus underlying the transition, at least until the official launching of the election campaign in January 2005.

41. There is no doubt, as the Security Council stressed in its presidential statement of 28 October 2004 (S/PRST/2004/39), that the support of donors and the international financial institutions is essential for the Central African Republic's economic and social recovery. In this regard, I strongly encourage the donor community and the friends of the Central African Republic to step up their efforts to provide the country with the necessary material, financial and technical resources in order to ensure a lasting consolidation of its institutions. I call upon the Central African parties in return to work in order to bring about a tranquil political environment by reaffirming their commitment to the result that will sanction the elections at the beginning of 2005.

42. Lastly, I should like to pay express tribute during this pre-electoral period to the United Nations personnel in the Central African Republic and, in particular, to my Representative, General Lamine Cissé, for the dedication and perseverance that they have demonstrated in carrying out their activities and their duties.